Bipartisan Betrayal: Human Rights, Policing Doctrine, and Hidden Taxation in Modern U.S. Governance

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Abstract

This working paper argues that the modern U.S. party system acts as a rotating managerial regime where policies—rather than partisan branding—drive the erosion of rights and the dispossession of the working class. Drawing on examples from criminal procedure (e.g., Terry v. Ohio) and election administration (such as purges and registration rules), as well as trade and fiscal tools (like tariffs functioning as de facto taxes), the paper claims that both major parties have alternately expanded surveillance, policing discretion, and economic burdens that disproportionately impact labor. It weaves together historical instances (**from Reconstruction to the War on Terror**), policy episodes (like 1990s crime and welfare legislation), and foreign policy strategies to demonstrate how "switching labels" masks persistent outcomes for ordinary citizens. The paper concludes with a call to re-prioritize legal protections, transparent taxation, and evidence-based policies over symbolic partisan conflicts.

Keywords: **human rights; policing; Terry v. Ohio; voter disenfranchisement; tariffs; surveillance; political economy; parties; mass incarceration; civil liberties**

JEL Classification: D72; H11; H23; K14; K38; N41; N42

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1. Introduction

This paper examines policy continuity across party lines in three domains—criminal procedure, election administration, and fiscal/trade instruments—and argues that continuity, more than partisan alternation, explains observed burdens on civil liberties and labor. Using Terry v. Ohio as a doctrinal baseline, post-Shelby voting rules as an administrative inflection, and tariff pass-through as a fiscal mechanism, the paper situates episodic “party switching” narratives within a longer arc of rights contraction and regressive incidence.

2. Doctrinal Spine: Terry and Successor Cases

Terry v. Ohio (1968) established the ‘reasonable suspicion’ standard for brief investigative stops and limited pat-downs, marking a doctrinal shift that broadened police discretion relative to probable cause. Subsequent decisions such as Pennsylvania v. Mimms (1977) and Illinois v. Wardlow (2000) further normalized officer-safety rationales and inferences from ‘unprovoked flight’ in high-crime areas. Together, these cases expanded discretionary encounters that disproportionately affect marginalized communities while remaining facially neutral in doctrine. The analysis here focuses on how such rules operate at scale rather than on partisan authorship.

3. Election Administration and Voter Access

Following **Shelby County v. Holder (2013),** several jurisdictions adjusted voting-related rules—such as ID requirements, purges, and precinct closures—in ways that raised the administrative

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cost of voting for specific populations. While motives and impacts vary by state and year, the cross-administration pattern is that election administration becomes a policy lever whose distributional effects are often more apparent than its stated objectives. The paper frames this as continuity in administrative techniques rather than a unique attribute of any single party.

4. Fiscal and Trade Instruments as Indirect Taxation

Tariffs function as taxes on imports that are commonly passed through to domestic prices. Empirical studies on the 2018–2019 measures find high pass-through to U.S. importers and consumers, with limited evidence of foreign exporters absorbing the tax burden. Because consumption shares are higher among lower- and middle-income households, this mechanism can act as a regressive burden, even when framed as a strategic trade tool.

5. Case Studies Across Decades

Case studies illustrate the continuity thesis across decades: (i) 1990s crime and welfare legislation embedded administrative and carceral logics that persisted; (ii) post-2001 surveillance architecture expanded and diffused across agencies; (iii) the 2008–2010 crisis response and oversight regimes prioritized systemic stability with uneven household relief; (iv) the 2018–2019 tariff cycle showed how trade instruments translate into indirect taxation. The through-line is not an identical policy, but rather the repeated use of administrative discretion and indirect fiscal tools that place predictable burdens on ordinary citizens.

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6. Policy Remedies

Policy remedies follow directly from the mechanisms identified: (1) codify constrained and reviewable stop-question-frisk standards, including data transparency and suppression remedies; (2) restore or replace preclearance-style oversight with neutral, auditable criteria for election administration changes; (3) publish distributional impact assessments for tariffs and other indirect taxes before enactment, with automatic sunset and review; (4) expand independent fiscal and civil-liberties scoring of major bills; (5) centralize public access to administrative datasets to enable external auditing by researchers.

7. Conclusion

Alternation in party control without alteration in core administrative and fiscal mechanisms yields a politics that changes labels more readily than outcomes. A democratic program oriented to civil liberty and broad-based prosperity requires tightening discretionary rules, raising the evidentiary bar for policies with regressive incidence, and restoring transparency that allows citizens to evaluate who pays, who benefits, and why.

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Appendix: Extended Discussion (From Uploaded Draft)

Double Crossed: The Betrayal of Human Rights and Fiscal and Monetary Policies

They told us the parties changed—that Democrats became Republicans, and the racists swapped jerseys. The bigots abandoned one side and joined the other.

And you know what?

They're partially right.

But here's the whole truth: the parties just switched labels. The system stayed the same, and the American people—especially the working class—were taken advantage of again.

We've been led to believe that Democrats became the guardians of civil rights, and Republicans became the racists. But that narrative hides the real betrayal: both sides sold out the working class—Black, white, Latino, everyone—while blaming each other for the collapse.

Let's be clear: Abraham Lincoln, Frederick Douglass, and early Black politicians were Republicans. But this wasn't because Republicans were morally superior—it was because the Democrats were openly white supremacist. After the Civil War, very few African Americans could vote. Those who did were landowners, educators, or preachers who met incredibly high standards imposed by the same system that claimed they were free (Loewen, 2005).

Booker T. Washington rose to prominence not because America was free, but because he conformed to what white power structures wanted: calm, conservative, and focused on vocational labor. Most African Americans didn't get that opportunity. They were blocked from housing, factories, and education—especially in the North, where sundown towns thrived (Loewen, 2005; Rothstein, 2017).

Ironically, more Black men served the Confederacy in support roles than the Union in the early stages of the war—because the Union

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Army placed standards and restrictions that effectively excluded them (Berlin et al., 1998).

And what about the Civil Rights Act and the Voting Rights Act? Sure, Lyndon B. Johnson signed them. But he also appointed the Supreme Court justices who gave us Terry v. Ohio, which legalized stop-and-frisk and mass racial profiling (Alexander, 2010).

Then came Bill Clinton—the so-called 'first Black president.' He introduced the 1994 Crime Bill, Welfare Reform, and the 1993 Voter Registration Act, which required proof of citizenship. That law was later used to purge thousands of African American voters in the 2000 election (Piven et al., 2009). Clinton also helped expand private prisons and criminalize poverty.

And Al Gore? He stood by silently while Black votes were thrown out in Florida. Not one Democrat in Congress objected to the disenfranchisement of their own voter base ***(Congressional Record, 2001).***

Obama? He gave speeches like MLK and governed like Dick Cheney*—bailing out banks, expanding drone warfare, and increasing surveillance. Meanwhile, working-class communities—especially minorities—were told to wait for hope and change* ***(Greenwald, 2014).***

Meanwhile, the Republicans weaponized truth to sell racism. They claimed the Democrats made Black Americans 'lazy' or 'ghetto,' ignoring the systemic sabotage both parties helped engineer. They mocked Democrats for 'selling hot sauce' while quietly expanding policing, tariffs, and border militarization.

Let's talk about foreign policy. The U.S. always claims moral reasons for war—Vietnam, Korea, Iraq, Afghanistan. But look deeper:

- *The CIA funded guerrilla groups in Asia.*
- *Nixon shook hands with Mao in 1972 and started outsourcing U.S. industry to China (Perkins, 2004).*

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- The same China the U.S. once called a communist threat became its economic factory.

- And while claiming moral superiority, the CIA was experimenting with LSD in the MKUltra program—manipulating citizens through chemical warfare (Kinzer, 2019).

Every war—Vietnam, Gulf War, Iraq, the War on Terror—followed the same playbook. Sell 'freedom' to the public, harden the empire behind the scenes, export jobs, import surveillance, exploit minorities, and then start the next war.

Now they say, 'We're going to invade Canada.' Or Greenland. Or Venezuela. As if foreign conquest is some magic cure for domestic decay. Meanwhile, they claim to have lowered income taxes while imposing tariffs, rising costs, and inflation on the working class. Tariffs are just invisible taxes, passed directly to the people (Brookings, 2018).

So, what do we call this system? A duopoly? A deception? A democracy? No. It's a rotating empire with two masks—a blue one and a red one. But underneath? It's the same machinery.

If you think the Democrats are going to save you, you forgot history. If you think Republicans are going to protect freedom, you forgot policy. The truth is: both sides lied, and both sides ruled while we suffered. This isn't about which side wins.

It's about how long we're going to let this game keep playing us.

It's time to unplug, unlearn, and rebuild.

Because the empire doesn't flip—it just rotates.

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